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REPORTS, CONCLUSIONS AND RECOMMENDATIONS OF
SUBSIDIARY BODIES: HUMAN RIGHTS QUESTIONS

Joint statement on the question of the death penalty

Statement submitted by Algeria, Bahrain, Bangladesh, Bhutan, Brunei Darussalam, China, Cuba, Egypt, Indonesia, Iran (Islamic Republic of), Jamaica, Japan, Jordan, Kyrgyzstan, Libyan Arab Jamahiriya, Malawi, Malaysia, Myanmar, Nigeria, Pakistan, Philippines, Qatar, Republic of Korea, Saudi Arabia, Singapore, Sudan, Swaziland, Syrian Arab Republic, United Arab Emirates, Yemen and Zimbabwe

1. We would like to place on record our reservations on draft resolution E/CN.4/1997/L.20 on the question of the death penalty, contained in the draft report of the Commission on Human Rights on its fifty-third session (E/CN.4/1997/L.10/Add.14 of 7 April 1997).

2. First, there is no international consensus that capital punishment should be abolished. Article 6, paragraph 2, of the International Covenant on Civil and Political Rights states that "sentence of death may be imposed only for the most serious crimes".

3. Secondly, capital punishment has often been characterized as a human rights issue in the context of the right of the convicted prisoner to life. However, this must be weighed against the rights of the victims and the right of the community to live in peace and security.

4. Thirdly, the question of whether to retain or abolish the death penalty should be carefully studied by each State, taking fully into account the sentiments of its people and the state of crime and criminal policy. It is inappropriate to make a universal decision on this question or to propose such action in the forum of an international organization.

5. For the reasons stated above, the delegations subscribing to this statement would like to dissociate themselves from Commission on Human Rights resolution 1997/12 as contained in chapter II, section A, of the report of the Commission on Human Rights on its fifty-third session (E/1997/23-E/CN.4/1997/150).